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Book Review. Durkheim, E., Suicide -- A Study in Sociology

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Book Reviews

SUICIDE—A STUDY IN SOCIOLOGY. By Emile Durkheim. Glencoe, Illinois: The Free Press. 1951. Pp. 405. \$5.00.

Emile Durkheim is known to many American legal scholars only via the summary of Duguit's jurisprudence by Roscoe Pound, who noted that Duguit borrowed the notion of "social solidarity" from Durkheim and built his theory of law upon it. Any reader of Durkheim's books must recognize the inadequacy of that report and be constrained to think that American legal scientists must go directly to the sources, in this instance, to Durkheim, if they wish to achieve significant thinking based on fundamentals.

The case of Durkheim, one of the greatest of modern sociologists, provides an apt illustration of present needs and opportunities. His *Division of Labor in Society*, available in English since 1933, is his most important work from the viewpoint of legal sociology. In that book, more pertinent than the work of Ehrlich, he presents his theory of "social consciousness" or "collective representations"—the basic social reality, external to the individuals composing society, and essential to scientific study of law, religion, and social institutions, in general. In sum:

"Collective tendencies have an existence of their own; they are forces as real as cosmic forces, though of another sort; they, likewise, affect the individual from without, though through other channels. The proof that the reality of collective tendencies is no less than that of cosmic forces is that this reality is demonstrated in the same way, by the uniformity of effects" (p. 309).

"To be sure, it is likewise true that society has no other active forces than individuals; but individuals by combining form a psychical existence of a new species, which consequently has its own manner of thinking and feeling" (p. 310).

In the *Division*, too, among other suggestive theories, he differentiated penal from "restitutive" (civil) law in terms of development from primitive tribes to functionally complex, loose societies. The importance of law for sociology is evident in that book.

In *Suicide—A Study in Sociology*, now available in readable accurate translation, Durkheim does not deal much with law or legal institutions. His problem is indicated in the title but his analysis of the problem, both in substance and in method, amplifies his earlier explorations of "social reality" in ways that are extremely relevant to the development of a science of law.

Durkheim's thesis, broadly stated, is that suicide is not caused by individual or physical factors but is explainable as a social phenomenon, as the result of a relatively fixed disposition in the group consciousness of the particular society. Only in this way, he argues, can one account for the prime fact about suicide: that its rate in any society is very uniform over a long period of years, more uniform than even the rate of general mortality.

Proceeding carefully and with the clarity characteristic of French scholars, he first establishes the negative phase of his argument, excluding psychopathic states, race, heredity, and climatic factors from the line of causation on the basis of statistical and other data. Only social factors remain. After eliminating from these such popularly conceived "causes"

as poverty and wars, he finds that suicide is causally connected with the degree of integration of the society; *e.g.*, the rate is lower in Catholic countries than in Protestant ones (while the rates for homicide are the reverse). Specifically, suicide is of three types: egoistic, altruistic, and anomic. The first and last occur in loosely integrated societies, while altruistic suicide is a phase of primitive and other closely integrated groups, *e.g.*, the army. In his own formulation of the social law relevant to the first two types:

"suicide varies inversely with the degree of integration of the social groups of which the individual forms a part" (p. 209).

Durkheim concludes that too much integration and too much decentralization cause the rate to increase.

It is extremely difficult in a short review of any of Durkheim's books to communicate the rigor and depth of his thinking and the thoroughness of his methods of investigation. Nor is it easier to convey the significance of his general theory for social science, including legal sociology. Much of the book has the "feel" of a brief written by distinguished counsel, with all the tightness, cogency, and persuasiveness—and also the limitations of advocacy—expected in such literature. It is possible and necessary here to reaffirm the conviction that when the problems of a science of law are thoroughly investigated, the work of Durkheim will be found to provide very helpful starting points.

JEROME HALL*

THE USE OF THE LICENSING POWER BY THE CITY OF CHICAGO. By Malcolm B. Parsons. Urbana: The University of Illinois Press. 1952. Pp. x, 198. \$3.50 (paper), \$4.50 (cloth).

In these days, when the attention of scholars is being increasingly focused on the national government, a book on the problems of a local government has become a relatively rare thing. The national government, it is true, touches our lives most deeply; and yet, barring a call to military service, it is the local government that touches our lives most intimately: It is the local police force, the fire-fighting force, the water supply, the sanitary equipment that make our communal existence possible; and it is the ordinances and codes of the local government that control the greatest part of our public conduct. More than this, there are many who say that it will be the success or failure of our local governments that will eventually determine the success or failure of all our attempts at democracy. Thus, Mr. Parsons has accordingly performed a valuable service for those interested in local government when he chose to examine one of the most important powers—the power to license—of the second largest city of the United States.

Professor Parsons, in his study, has chosen to concentrate upon the formal and legal aspects of that power. He begins with a definition of "licensing" and moves from there to examine the constitutional and legal framework in which Chicago's license ordinances are set; and then to an examination of the license ordinances themselves, grouped according to functional purpose. Parsons admits that there are limitations to this method of approach. He sees that his subject might have been explored by way of the economic pressures and political maneuverings that enter

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